



FRN: 0005-9352-75

November 10, 2004

Application No. 513

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
Washington, D.C. 20554

Attention: Wireline Competition Bureau

Application is hereby made by Southwestern Bell Telephone Company (SWBT) for Special Permission to waive Section 61.74 of the Commission's Rules in order to make references to Ameritech Operating Companies (Ameritech) Tariff F.C.C. No. 2, Nevada Bell Telephone Company (NBTC) Tariff F.C.C. No. 1, Pacific Bell Telephone Company (PBTC) Tariff F.C.C. No. 1, and The Southern New England Telephone Company (SNET) Tariff F.C.C. No. 39 and in SWBT Tariff F.C.C. No. 73.

SWBT proposes to introduce Contract Offer No. 31, Special Access Service Offer, a contract tariff offering that is structured to include the five SBC telephone companies listed above, for customers located in Phase I and/or Phase II Pricing Flexibility Metropolitan Statistical Areas into Tariff F.C.C. No. 73, Section 41. This contract tariff offering requires Customers to maintain a Minimum Annual Revenue Commitment (MARC) for five (5) years. Contract Offer No. 5 is available to any Customer with at least \$18.7 million in cumulative annual recurring revenue for qualified access services in the SBC Interstate Access Tariffs as identified above. The qualified access services for SWBT are listed in Section 41.31.3(B).

This waiver request is being submitted due to the Eligibility Criteria which requires customers to concurrently subscribe to the identical contract offers pursuant to tariffs: Ameritech Tariff F.C.C. No. 2, Section 22, Contract Offer No. 42; NBTC Tariff F.C.C. No. 1, Section 23, Contract Offer No. 2; PBTC Tariff F.C.C. No. 1, Section 33, Contract Offer No. 34 and SNET Tariff F.C.C. No. 39, Section 25, Contract Offer No. 5. Concurrent subscription provides customers the opportunity to achieve the MARC with revenue in any combination of the SBC Telephone Company tariffs and receive contract discounts and other credits accordingly.

With this application, SWBT requests permission to waive Section 61.74 of the Commission's Rules in order to include the above mentioned tariff references in its proposed contract tariff filing. Applications to waive Section 61.74 of the Commission's Rules are also being requested by Ameritech, NBTC, PBTC, and SNET in separate applications.

This Application letter and the appropriate illustrative tariff pages are being filed electronically today via the Federal Communications Commission's Electronic Tariff Filing System (ETFS).

Payment in the amount of \$720.00 has been electronically transmitted to the Mellon Bank in Pittsburgh, Pennsylvania, in accordance with the fee program procedures. The Form 159 is being transmitted electronically via ETFS as a proprietary document. These actions have been committed on the date established as the issued (filed) date as reflected above.

All correspondence and inquiries concerning this application should be addressed to Anisa A. Latif, Associate Director-Federal Regulatory, (202) 326-8905, 1401 I Street, N.W., Suite 400, Washington, D.C. 20005.

Sincerely,

A handwritten signature in black ink that reads "Patrick R. Doherty". The signature is written in a cursive, flowing style.

Attachments:
Letter
Illustrative Tariff Pages